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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LAMBORGHINI ARTIMARFCA, SpA,

2:10-CV-1821 JCM (PAL)

Plaintiff,

V.

FASTWARES, LLC,

Defendant.

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## ORDER

15 Presently before the court is plaintiff Lamborghini Artimarcia, SpA's motion for default  
16 judgment. (Doc. #11).

17 Pursuant to Federal Rule of Civil Procedure 55(a) “[w]hen a party against whom a judgment  
18 for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by  
19 affidavit or otherwise, the clerk must enter the party’s default.” Federal Rule of Civil Procedure  
20 55(b)(2) provides that a court may enter a default judgment after the party seeking default applies  
21 to the clerk of the court as required by subsection (a) of this rule.

22 Here, defendant has been duly served (*see* doc. #7), but has failed to respond to the  
23 complaint. Accordingly, plaintiff applied to the clerk of the court for entry of default against  
24 defendant on December 3, 2010 (doc. #8), and the clerk entered default on December 6, 2011, (doc.  
25 #9). Plaintiff now asks this court to enter judgment against the defendant, and the court finds that  
26 judgment to be proper under Rule 55.

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1 || Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's application for  
3 entry of default judgment (doc. #11) is GRANTED.

4 IT IS FURTHER ORDERED that the plaintiff shall prepare and submit an appropriate final  
5 judgment for the court's review and signature.

6 DATED March 18, 2011.

James C. Mahan  
**UNITED STATES DISTRICT JUDGE**